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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,039	09/02/2003	Satoru Wakiyama	67160-016	1548
7590	03/09/2005		EXAMINER CAO, PHAT X	
McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096			ART UNIT 2814	PAPER NUMBER

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/652,039

Applicant(s)

WAKIYAMA ET AL.

Examiner

Phat X. Cao

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/2/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Species I (claims 1-4) in the reply filed on 12/14/04 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki (US. 4,696,764).

Yamazaki (Fig. 2) discloses a semiconductor device comprising: a plurality of laminated semiconductor elements (column 13, lines 39-46); and highly water-absorbing resin films E2 absorb water or a low-boiling-point organic solvent (column 6, lines 61-67 and column 7, lines 17-51).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki (US. 4,696,764) in view of Maley (US. 6,278,181).

Yamazaki does not disclose heat sinks installed on the sides of the plurality of laminated semiconductor elements.

However, Maley (Fig. 13) teaches the forming of heat sinks 248 on the sides of the plurality of laminated semiconductor elements. Accordingly, it would have been obvious to install the heat sinks on the sides of the plurality of laminated semiconductor elements of Yamazaki because such heat sinks would help to spread the heat from the semiconductor elements, as taught by Maley (column 10, lines 62-67).

7. Claims 1-2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumita et al (US. 2003/0155664) in view of Maley (US. 6,278,181).

Regarding claims 1-2, Sumita (Fig. 1) discloses a semiconductor device comprising: a laminated structure having a semiconductor element 3 mounted on a substrate 1; and a highly water-absorbing resin film 4 absorbing water (pars. [0024] and [0064]) and formed between the semiconductor elements 3 and the substrate 1.

Sumita does not disclose the laminated structure having the semiconductor element mounted on another semiconductor element.

However, Maley teaches the forming of a laminated structure having a semiconductor element 102 mounted on a substrate 120 (Fig. 7) or the forming of a laminated structure having a semiconductor element mounted on the other semiconductor elements. Accordingly, it would have been obvious to form the laminated structure of Sumita comprising a plurality of laminated semiconductor elements because as taught by Maley, such laminated structure is well known and commonly used for forming a stacked multi-chip module (column 5, lines 45-49).

Regarding claim 4, Maley (Fig. 13) further teaches the forming of heat sinks 248 on the sides of the plurality of laminated semiconductor elements for spreading the heat from the semiconductor elements (column 10, lines 62-67).

Allowable Subject Matter

8. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose an absorbed organic solvent having a boiling point equal to or higher than the reflow melting point temperature of solder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phat X. Cao whose telephone number is (571) 272-1703. The examiner can normally be reached on Monday - Thursday.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PC
March 4, 2005


PHAT X. CAO
PRIMARY EXAMINER